

BYRON L. DORGAN  
NORTH DAKOTA  
713 HART SENATE OFFICE BUILDING  
WASHINGTON, DC 20510-3405  
202-224-2551  
202-224-9378 TDD

COMMITTEES:  
APPROPRIATIONS  
COMMERCE, SCIENCE & TRANSPORTATION  
ENERGY & NATURAL RESOURCES  
INDIAN AFFAIRS  
  
CHAIRMAN, DEMOCRATIC POLICY COMMITTEE

# United States Senate

WASHINGTON, DC 20510-3405

December 10, 2004

STATE OFFICES

312 FEDERAL BUILDING  
THIRD AND ROSSER AVENUE  
P.O. BOX 2579  
BISMARCK, ND 58502  
701-250-4618  
1-800-666-4482 TOLL-FREE

112 ROBERTS STREET, ROOM 110  
P.O. BOX 2250  
FARGO, ND 58107  
701-239-5389

102 NORTH 4TH STREET, ROOM 108  
GRAND FORKS, ND 58201  
701-746-8972

100 1ST STREET, S.W., ROOM 105  
MINOT, ND 58701  
701-852-0703

Dr. Roderick R. Paige  
U.S. Secretary of Education  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, D.C. 20202

Dear Dr. Paige:

To say I was shocked and angered to learn about the Department of Education's decision that some 3,800 North Dakota elementary school teachers have been found to be not "highly qualified" is an understatement. I want you to investigate this matter immediately and reverse the brain-dead ruling that tells teachers who have taught in elementary schools for 10, 20, and even 30 years that they don't meet the "highly qualified" definition.

As I understand it, the North Dakota teachers in question are all veteran teachers who have college degrees in elementary education and are licensed by North Dakota in that field. Now, apparently the U.S. Department of Education says that because 3,800 of these teachers have not taken a test, they are not deemed to be qualified.

Everyday in the classroom, these teachers have demonstrated their competency, Mr. Secretary. This kind of ruling is exactly what I and others have worried about with respect to the bureaucratic bungling that occurs when big agencies lose sight of common sense.

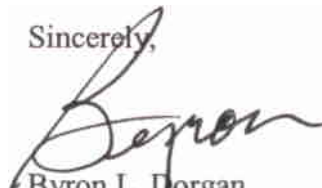
I also wonder about the timing of this decision. The No Child Left Behind Act has now been in place for nearly three years. State officials and educators in North Dakota and my staff have had countless discussion over the past couple of years with the Department of Education about the "highly qualified" teacher issue. State officials sought clarification from the Department of Education to ensure that its highly qualified teacher requirements complied with the law, and there was never an indication from your staff that there was going to be a concern with the state's definition for elementary school teachers.

Now with only 18 months left until teachers have to comply with this so-called "highly qualified" requirement, we are blindsided by this latest Department of Education judgment.

I personally held meetings in North Dakota at which representatives of your department were present. All of these issues were discussed, and there was no hint that somehow your agency was going to be telling us that 3,800 elementary school teachers were going to be set up with some sort of arbitrary federal ruling that they wouldn't meet the "highly qualified" requirements.

It is this kind of thinking at the Department of Education that will force us to scrap the No Child Left Behind program. Mr. Secretary, either fix this problem now, or join me in deciding to scrap this program and start over.

Sincerely,



Byron L. Dorgan  
U.S. Senator

BLD:mmm